IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 8857 of 2004

Between:

M/s. Cores & Containers Private Limited, 274/3RT, Sanjeeva Reddy Nagar, Hyderabad-500 038 rep. By its Managing Director, Sri M. V. Ramana Reddy.

..... PETITIONER

AND

The Assistant Provident Fund Commissioner, (Authority U/s. 14B of the Employees' Provident
Fund & Miscellaneous Act, 1952) SAO, Patancheru 12-1, Susheeram Complex, Patancheru-502 319

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Certiorari, or any other appropriate Writ, Order or direction, calling for the records in Proceedings dated 28-4-2004 issued by the respondent and quash the same as arbitrary, unreasonable unauthorised, violative of the rights of the petitioner granted under the Employees' Provident Fund & Miscellaneous Act, 1952 and Consequently set a side the distraint order No. AP/18283/SAO/PTC/Enf(PD)/2003 dated 19-12-2003 as arbitrary and violative of rights of the petitioner.

Counsel for the Petitioner:MR.P.BALAJI VARMA

Counsel for the Respondent No.: MR.R.N.REDDY

The Court at the admission stage made the following :

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ORAL ORDER:

This court, while ordering notice before admission on 5.5.2004, granted interim suspension on the condition of the petitioner depositing half of the amount demanded in the impugned proceedings, within a period of eight weeks from the date of that order, and in default it is further directed that the stay granted by this court shall stand vacated.

It is now represented by the learned Standing Counsel appearing for the respondent-Organization that the petitioner has not complied with the orders of this court dated 5.5.2004, so far.

In the circumstances, I see no reason to entertain the present writ petition and the same is accordingly dismissed. No order as to costs.

9.12.2004

CVM

To,

1. The Assistant Provident Fund Commissioner, (Authority U/s. 14B of the Employees' Provident
Fund & Miscellaneous Act, 1952) SAO, Patancheru 12-1, Susheeram Complex, Patancheru-502 319

2. 2 CD copies.